

MARKED-UP SPECIFICATION – with added language underlined and deleted language having strike-through markings

First paragraph of the Detailed Description:

Fig. 1 shows the most preferred embodiment 2 of the present invention having a substantially cylindrical main body 6 with two straps 4 extending upwardly beyond the rear perimeter edge of said main body 6. Straps 4 can be permanently attached to main body 6, or detachably connected to main body 6 to optionally reveal quick-release fasteners secured centrally to main body 6, such as pile fasteners 20a shown in Fig. 6 that could be used to attach main body 6 directly to a quantity of hook fastener 20b on a wall or other surface (not shown), instead of having main body 6 supported by straps 4. Although pile fasteners 20a and hook fasteners 20b are individually shown in the accompanying illustrations and are meant to form a two-part fastener 20, no illustration shows them in combined form as a two-part hook-and-pile fastener that is marked solely by the number 20. However, the combination is mentioned at least once hereinafter in the disclosure as fastener or fasteners 20. Individual references to pile fastener 20a and hook fastener 20b appear many times in the ensuing description. Fig. 1 also shows the distal end of each strap 4 being formed into a looped configuration 24. As can be seen in Figs. 4 and 5, it is contemplated for a two-part quick-release fastener, such as but not limited to hook-and-pile fasteners 20a and 20b, to be used to securely and indefinitely hold the distal ends of straps 4 in their looped configurations 24 so that the looped configurations 24 of one or both straps 4 can be used to suspend main body 6 and any lightweight contents (not shown) therein from a nearby and conveniently located support surface (not shown), such as but not limited to a crib top rail, high chair, baby changing table, nearby wall surface, swing, baby play

yard, and the like. The use of quick-release fasteners such as 20a and 20b to form looped configurations 24 permits a user to frequently move main body from one location to another as the child needing the contents stored in main body 6 is similarly moved. Temporary formation of looped configurations 24 in the distal end of each strap 4 used is also critical since it is contemplated for main body 6 and straps 4 to be periodically removed from their position of use for cleaning so that a sanitary interior of main body 6 can be maintained for storage of clean baby items (not shown), such as but not limited to pacifiers, small toys, and teething devices. It is contemplated for cleaning to include hand or machine laundering, as well as hand or machine drying. Stitching 12 near the top of main body 6 can be used to assist in the attachment of straps 4 to main body 6, unless it is contemplated for straps 4 to be detachably secured to main body 6. The configuration of straps 4 is not limited to that shown in Fig. 1. Alternative examples of strap 4 configuration could include straps 4 that are longer or shorter than the straps 4 shown in Fig. 1. Further, the number of straps 4 used could be increased or decreased beyond that shown in Fig. 1, although the two spaced-apart parallel straps 4 shown in Fig. 1 are most preferred. In addition, two or more straps 4 could be anchored from a single attachment point centered on or near to the upper edge of main body 6 between the two straps 4 shown in Fig. 1. A single attachment point would result in a V-shaped configuration of straps 4. Fig. 1 also shows vertically extending rear strips 16 as a part of main body 6. The number of vertically extending strips 16 is not critical, but unless used for decorative contrast, the number should not exceed that which provides structural benefit. Thus, the number and width of the strips 16 used in the present invention should be determined by the combination of number and width needed to strengthen the complementary open-weave material 28 situated therebetween, without being so numerous and

wide as to prevent air circulation and/or add labor or material cost to the present invention without also adding appropriate benefit. Fig. 1 also shows main body 6 having a bottom surface 8, made from non-mesh/non-open-weave material. Although not shown, it is considered to be within the scope of the present invention for bottom surface 8 to be made from open-weave material 28. However, for the strength and stability that it would add to main body 6, it is preferred that bottom surface 8 be made from a non-mesh/non-open-weave material. Fig. 1 shows bottom surface 8 being secured at least in part to the remainder of main body 5 by stitching 12. It is not clear from the illustration in Fig. 1 whether stitching 12 provides the main means of attaching bottom surface 8 to the portion of main body 6 immediately above it, or whether stitching 12 merely provides reinforcement as "top stitching". Any reinforcement provided by "top stitching" would add to the durability of main body 6 so that it can sustain repeated cleaning without premature deterioration. Use of stitching 12 as reinforcement of main body 6, to increase the amount of weight it could support, would be a secondary consideration as most of the contents (not shown) anticipated for storage in the hollow interior of main body 6 are light in weight, such as pacifiers, teething devices, and the type of soft small toy anticipated for infant and small child use. Even if main body 6 is later used when the child is two or three years older, it is contemplated that main body 6 would hold lightweight objects, such as but not limited to doll accessories, transformer masks and other accessories, game pieces and/or multiple pairs of dice, an assortment of hair accessories, sunglasses, small tools for assembly and disassembly of miniature skateboards and other similar toys intended for hand manipulation and/or display, an assortment of the small toys available from fast food restaurants, and the like. Although not shown, stitching 12 could be added to straps 4, vertically extending front strips 16a and

vertically extending rear strips 16b for decorative accent and/or reinforcement for durability during cleaning and use. The thread used for stitching 12 can be any color, so that it matches the color of vertically extending strips 16 or provides a color contrast thereto. Fig. 1 further shows a horizontally extending strip 10 made from non-mesh/non-open-weave material that provides reinforcement for adjacent open-weave/mesh material 28 and overall strength for main body 6. Strip 10 also helps to support main body 6 in a position that allows top opening 26 to remain in a substantially opened position during use for quick and easy insertion therethrough of an adult hand for retrieving contents stored within the hollow interior of main body 6. At a minimum, the circumference of top opening 26 should be sized to allow prompt access of a large adult male hand to the contents of main body 6. Although it is contemplated that strip 10 could completely encircle main body 6, Fig. 6 shows a strip 10 that ends when it comes in contact with vertically extending rear strips 16b. Further, while Fig. 1 shows strip 10 positioned in the bottom portion of the upper half of main body 6, such positioning is not critical and if only one horizontally extending strip 10 is present, it is contemplated only that it be positioned somewhere centrally between top opening 26 and bottom surface 8. Also, the number and width of horizontally extending strips 10 are not critical, and in place of the one strip 10 shown in Fig. 1, two or more horizontally extending strips 10 of similar or different width dimension than shown in Fig. 1 could be used. The limitation on the number and width of strips 10 used is the need for some open-weave material 28 between them for air circulation and content visibility. Thus, it is generally preferred for the present invention to contain a substantial amount of a mesh/open-weave material 28. In addition, as shown in Fig. 1, horizontally extending strip 10 provides a surface upon which informational markings 14 can be placed. Information markings 14 can be

made in any color or colors that cause it to be distinguishable from strip 10. Baby accessories typically are made in pastel colors. Therefore, the words and decorative flourishes displayed in Fig.1 as a part of informational markings 14 could all be the same color, or a mix of different colors. In addition to the word ~~'BINKIE BUCKET'~~ 'BINKY BUCKET' displayed in Fig.1, or as an alternative thereto, informational markings 14 can contain the baby's name, images of objects familiar to a baby, alphanumeric markings, and/or a combination thereof. Further, although main body 6 can be made in different sizes, it is contemplated for the hollow interior of main body 6 to hold approximately a dozen or so pacifiers, several teething devices, and/or small soft baby toys (not shown).

## REMARKS

On pages 4 and 5 of the Office Action, the Examiner has rejected the applicant's originally submitted claims 1, 2, 5, 6, 10, 15, and 16 under 35 USC 102(b), as being anticipated by US Patent 4,548,375 to Moss. The applicant believes that her invention is different from Moss in important ways and identifies those reasons below. The Examiner has cited the Moss invention as a flexible, washable, and soft textured container for temporary storage of items to comfort and entertain babies and small children, with its container being made in part from open weave material. However, the Moss invention is also expandable, and on column 2, line 2: the inventor suggests that it could be made from knitted fabric. Knitted fabric would not provide adequate air circulation for the present invention. Instead, the main body of the applicant's invention is not expandable or stretchable, instead having structural components that are configured to keep its top opening from collapsing for rapid entry of a hand for the prompt retrieval of an item to comfort or entertain a baby or small child. Fig. 4 in the Moss disclosure does not show a structure that permits the same rapid one-handed retrieval of contents. The expandable Moss sleeve and its comparatively small upper opening when the sleeve is expanded, does not provide the same advantage as the present invention. It would take two hands to remove the tea cup in Fig. 4 from the expanded Moss invention. Further, the Moss invention does not have a vertically extending structural strip configured for maintaining its top opening in a non-collapsing configuration, or at least one horizontally extending structural strip that substantially encircles it. Thus, since the structure of the present invention as defined in the amended claims herein is different from the Moss invention and not taught by it alone or in combination with the other prior art, the applicant respectfully requests that the Examiner's rejection of claims 1, 2, 5, 6, 10, 15, and 16 on page 4 of the first Office Action be withdrawn.

On pages 5 and 6 of the Office Action, the Examiner has also rejected the applicant's originally submitted claims 1, 2, 6, 8, and 11 under 35 USC 102(b), as being anticipated by US Patent Application 2002/0148868 to Dion-Bildstein et al. The Dion-Bildstein invention has a top

ring, a vessel with a crown connected to the ring, straps connected to the ring, and attachment means at the ends of the straps to make them encircle a support. The applicant's invention is different from Dion-Bildstein invention in that the Dion-Bildstein does not teach vertically extending structural strips, straps attached to the vertically extending strips, or horizontally extending structural strips centrally between top and bottom portions. Thus, since the structure of the present invention as defined in the amended claims herein is different from the Dion-Bildstein invention and not taught by it alone or in combination with the other prior art, the applicant respectfully requests that the Examiner's rejection of claims 1, 2, 6, 8, and 11 on page 5 of the first Office Action be withdrawn.

On pages 7 and 8 of the Office Action, the Examiner has also rejected the applicant's originally submitted claims 3, 4 and 11-13 under 35 USC 103(a), as being unpatentable over Moss in view of US Patent 6,286,798 to Chun, which is used to teach a detachable strap that can be formed into a loop with quick-release fasteners. Chun is also used to teach a vertically extending non-open-weave material strip having a fastener part attached to it. However, as stated above, the Moss invention is different from the present invention in that the Moss sleeve is expandable while the present invention main body is not stretchable. Further, the combination of Moss and Chun do not teach the combination of structural horizontally and vertically strip: that are adjoining and configured to maintain the top opening in a non-collapsed configuration, with the horizontally extending strip centrally between top and bottom portions, and a top portion made from non-open-weave materials. Thus, since the structure of the present invention as defined in the amended claims herein is different from the Moss invention and not taught by it or the combination of Moss and Chun, the applicant respectfully requests that the Examiner's rejection of claims 3, 4, and 11-13 on page 7 of the first Office Action be withdrawn.

On pages 8 and 9 of the Office Action, the Examiner has also rejected the applicant's originally submitted claims 3, 5, 12, 15, 16, and 18-20 under 35 USC 103(a), as being unpatentable over Dion-Bildstein in view of US Patent 6,286,798 to Chun, wherein Chun teaches

a detachable strap, quick-release fasteners, and a vertically extending strip. For the same reasons given above, the applicant argues that her invention is different from Dion-Bildstein and that the combination of Dion-Bildstein and Chun does not teach the same structure of the present invention that allows it to maintain a non-collapsed top opening for easy access to and prompt retrieval of contents, while at the same time allowing for adequate air circulation and non-tangling engagement of the main body's open-weave material with its contents. Thus, since the structure of the present invention as defined in the amended claims herein is different from the Dion-Bildstein invention and not taught by it or the combination of Dion-Bildstein and Chun, the applicant respectfully requests that the Examiner's rejection of claims 3, 5, 12, 15, 16, and 13-20 on page 9 of the first Office Action be withdrawn.

On page 9 of the Office Action, the Examiner has also rejected the applicant's originally submitted claims 7 and 17 under 35 USC 103(a), as being unpatentable over Moss in view of US Patent 2,705,517 to Elsas, which is used to teach the placement of markings on a mesh bag. The Elsas invention secures a legible printing surface to the inside surface of a mesh bag to solve the problem of encircling paper bands applied to the outer surface of an open mesh bag that frequently become scuffed, soiled, marred, and thereby present an unsatisfactory appearance. Elsas does not teach a horizontally extending structural strip that adjoins at least one vertically extending structural strip which together are jointly configured, sized, and positioned to maintain the non-collapse of a top opening. Thus, since the structure of the present invention as defined in the amended claims herein is different from the Moss invention and not taught by it or the combination of Moss and Elsas, the applicant respectfully requests that the Examiner's rejection of claims 7 and 17 on page 9 of the first Office Action be withdrawn.

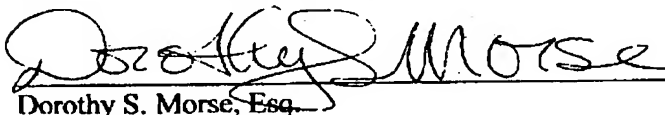
On pages 9 and 10 of the Office Action, the Examiner has also rejected the applicant's originally submitted claims 9 and 14 under 35 USC 103(a), as being unpatentable over Dion-Bildstein in view of US Patent 2,705,517 to Elsas. As mentioned above, Elsas does not teach a horizontally extending structural strip that adjoins at least one vertically extending structural strip



and which are jointly configured, sized, and positioned to maintain the non-collapse of a top opening. Thus, since the structure of the present invention as defined in the amended claims herein is different from the Dion-Bildstein invention and not taught by it or the combination of Dion-Bildstein and Elsas, the applicant respectfully requests that the Examiner's rejection of claims 9 and 14 on page 10 of the first Office Action be withdrawn.

Since the applicant herein has now amended her claims to disclose an invention that she believes is distinguishable from the cited prior art without adding new matter, she respectfully requests that her amended claims 1-20 now be reviewed for patentability and allowed.

Respectfully submitted on behalf of Heather C. Schultz by:



Dorothy S. Morse, Esq.  
515 Park Drive, N.W.  
Bradenton, FL 34209-1847  
(941) 747-4313 (phone)  
(941) 748-4008 (fax)  
U.S. Patent and Trademark Office Registration Number: 38,977